

# Notice of Allowability

Application No.

09/857,171

Examiner

Sue Lao

Applicant(s)

PANG ET AL.

Art Unit

2194

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7/22/2005.
2. ☒ The allowed claim(s) is/are 1,2,4-7,9-17 and 19-25.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).


\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

- |  |  |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                      |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date <u>12/20/2002</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                              |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material                                 | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance                        |
|  | 9. <input type="checkbox"/> Other _____  |

  
**SUE LAO**  
**PRIMARY EXAMINER**

### **DETAILED ACTION**

1. Claims 1, 2, 4-7 and 9-25 are pending. This action is in response to the amendment filed 7/22/2005. Applicant has amended claims 1, 4, 6, 7 and 9-11, canceled claims 3 and 8, and added claims 23-25.

#### **Examiner's Amendment**

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Alan M. Lenkin, GREENBLUM & BERNSTEIN, P.L.C. on August 9, 2005.

3. The application has been amended as follows:

3(1). Please enter applicant's amendments to claims 1, 9, 18, 19, 23-25, as shown in Attachment No. 1.

3(2). Please further amend the claims as follows.

Claim 1, line 1, before "method", add -- computer implemented --.

Claim 2, line 1, before "method", add -- computer implemented --.

Claim 4, line 1, before "method", add -- computer implemented --.

Claim 5, line 1, before "method", add -- computer implemented --.

Claim 6, line 1, before "method", add -- computer implemented --.

Claim 7, line 1, before "method", add -- computer implemented --.

Claim 9, line 1, before "method", add -- computer implemented --.

Claim 10, line 1, before "method", add -- computer implemented --.

Claim 11, line 1, before "method", add -- computer implemented --.

Claim 12, line 1, before "method", add -- computer implemented --.

Claim 13, line 1, before "method", add -- computer implemented --.

Claim 14, line 1, before "method", add -- computer implemented --.

Claim 15, line 1, before "method", add -- computer implemented --.

Claim 16, line 1, before "method", add -- computer implemented --.

Claim 17, line 1, before "method", add -- computer implemented --.

Claim 19, line 1, before "method", add -- computer implemented --.

Claim 20, line 1, before "method", add -- computer implemented --.

Claim 21, line 1, before "method", add -- computer implemented --.

Claim 22, line 1, before "method", add -- computer implemented --.

Claim 23, line 1, before "method", add -- computer implemented --.

Claim 24, line 1, before "method", add -- computer implemented --.

Claim 25, line 1, before "method", add -- computer implemented --.

#### **Allowable Subject Matter**

4. Claims 1, 2, 4-7, 9-17 and 19-25 are allowed.

5. The following is an examiner's statement of reasons for allowance:

The prior art on record does not teach "said second sub-process is a suspended process comprising data, program code and execution states of said computing process temporarily not required by said first process" and "said first process is able to re-acquire data program codes and execution states from said suspended process as and when required by said first process", as recited in claims 1 and 24, in the specific combinations with other limitations of claims 1 and 24, respectively. The prior art on record further does not teach "discarding by said first process extraneous data, program codes and execution states acquired subsequent to the formation of said first process and said second sub-process prior to adding the program code and execution states from said first process to said second sub-process", as recited in claims 23 and 25, in the specific combinations with other limitations of claims 23 and 25, respectively.

As stated by applicant's representative, a suspended process connotes a "hibernaculum operation" (see Attachment No. 2), which is disclosed in the application as filed, starting from page 7, line 24 and from page 9, line 21.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sue Lao whose telephone number is (571) 272-3764. A voice mail service is also available at this number. The examiner's supervisor, SPE Meng-Ai An, can be reached on (571) 272 3756. The examiner can normally be

Art Unit: 2194

reached on Monday - Friday, from 9AM to 5PM. The fax phone number for the organization where this application or proceeding is assigned is (571) 273 8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

August 9, 2005

  
**SUE LAO**  
**PRIMARY EXAMINER**

Attachment No. 1 : Applicant's proposed amendments to the claims;

Attachment No. 2 : e-mail communication from applicant's representative.

Application/Control Number: 09/857,171  
Art Unit: 2194

Page 6

Attachment No. 1 : Applicant's proposed amendments to the claims;